

January 31, 2002

FINANCE & MANAGEMENT
COMMITTEE
REPORT NO. 2

ALL MEMBERS PRESENT. CHAIRMAN DeBENEDETTI PRESENT AS EX-OFFICIO MEMBER.

1. **RESOLVED**, that the following items are hereby received and filed.

- a. Item Page -2001 (Comm. 2D-4)
COUNTY ATTORNEY: Copy of Letter to Comptroller Re: 11/30/00 EC Legislature Resolutions.
(5-1) Legislator Peoples in the Negative. Chairman DeBenedetti present as Ex-Officio Member.
- b. Item Page -2001 (Int. 6-17)
GREENAN, CHASE, McCARVILLE, WEINSTEIN & RANZENHOFER: Legislature Location in Courts Master Plan Implementation.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- c. Item Page -2001 (Int. 7-19)
GREENAN, RANZENHOFER, CHASE, McCARVILLE & LARSON: Support for U.S. Senate Bill (S.306) "Coverdell Education Savings Accounts Act of 2001."
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- d. Item Page -2001 (Int. 7-12)
HOLT: Update on Buffalo Place's Proposed Expansion.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- e. Item Page -2001 (Int. 9-3)
GREENAN, CHASE, McCARVILLE, LARSON & RANZENHOFER: The Use of Tele Typewriting Systems in Legislative Offices.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- f. Item Page -2001 (Comm. 11E-5)
COUNTY EXECUTIVE: State Legislative Program 2001.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- g. Item Page -2001 (Comm. 11E-33)
COUNTY EXECUTIVE: Status Report on Quebecor Training Project.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- h. Item Page -2001 (Comm. 17E-12)
COMPTROLLER: EC Utilities Aggregation Fund – DPW for Period 1/1/00 – 9/30/00.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.

- Item Page -2001 (Comm. 17E-18)
i. **COMPTROLLER:** Letter to Legislature & County Executive Re: Claim Filed to Receive Share of Settlement to Compensate Municipalities that Refinanced Bonds.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- Item Page -2001 (Comm. 19E-1)
j. **COMPTROLLER:** Notice of Sale of \$35.28 Million in Public Improvement Bonds for General Capital Projects & \$917,000 in Bonds for Various ECSD Purposes.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- Item Page -2001 (Comm. 20E-3)
k. **COMPTROLLER:** Update on \$85,000,000 Bond Refunding – Delay Due to Events of 9/11/01.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- Item Page -2001 (Comm. 20E-5)
l. **COMPTROLLER:** Management Letter Issued by Deloitte & Touche in Conjunction with Audit of County for Year Ending 12/31/00.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- Item Page -2001 (Comm. 20E-6)
m. **COMPTROLLER:** Payment-in-Lieu-of-Taxes (PILOT) Program for Period 1/1/00 – 12/31/00.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- Item Page -2001 (Comm. 20M-6)
n. **NYS BOARD OF REAL PROPERTY SERVICES:** Certificate of County Equalization Rates for 2001 Assessment Roles for Municipalities in County of Erie.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- Item Page -2001 (Int. 20-1)
o. **OLMA:** Reducing Compensation for the Commissioners of the Erie County Water Authority.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- Item Page -2001 (Comm. 21D-6)
p. **BUDGET, MANAGEMENT & FINANCE:** Notice that 2000 Designated Fund Has Been Encumbered.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- Item Page -2001 (Comm. 21E-34)
q. **COUNTY EXECUTIVE:** Honorable H. Carl McCall – State Comptroller’s Report, “After the World Trade Center Attacks.”
(6-0) Chairman DeBenedetti present as Ex-Officio Member.

- r. Item Page -2001 (Comm. 25D-9)
ERIE COUNTY WATER AUTHORITY: 2002 Adopted Operating & Maintenance Budget & Capital Budget.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- s. Item Page -2001 (Comm. 25D-11)
BOARD OF ELECTIONS: Apportionment of Expenses for Conduction of Year 2000 Elections.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- t. Item Page -2001 (Comm. 25E-2)
COMPTROLLER: Information Regarding Sale of \$36,125,000 of General Obligation Bonds.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- u. Item Page -2001 (Comm. 26D-1)
BOARD OF ELECTIONS: Copy of Letter to Comptroller Re: Response to Audit.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- v. Item Page -2002 (Comm. 1D-11)
COMPTROLLER: Non-Compliance with County Purchasing Procedures.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- w. Item Page -2002 (Comm. 3E-16)
COUNTY EXECUTIVE: Extension of Erie County's 1% Sales & Compensation Use Tax Amendment of EC Sales Tax & Use Tax Resolution.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- x. Item Page -2002 (Comm. 3M-4)
TOWN OF TONAWANDA: Resolution from Town Board Re: Request for Direct Payment of Erie County Sales Tax to Town.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
2. Item Page -2001 **AS AMENDED**
BUDGET, MANAGEMENT & FINANCE
(A)

WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556 and

EMAIL DOCUMENT IS 202553EM.DOC

WHEREAS, the Director has investigated the validity of such applications (see attached listing) now therefore be it ,

RESOLVED, that petitions numbered 202064 through 202080 inclusive

be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and / or Cities.

Petition No. 202064 / 2002 - ASSESSOR - Cancel - \$350.00

SBL No. 151.08-5-23.1 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 350.00 - Town/SpecialDist/School

Charge to : ECSD #6 SAN SEWER 350.00

CANCEL - CLERICAL ERROR, THIP PARCEL WAS CHARGED FOR 6 UNITS ON THE ERIE COUNTY SEWER TAX AND SHOULD ONLY HAVE BEEN CHARGED FOR ONE UNIT. RPTL 550(2)E.

Petition No. 202065 / 2002 - ASSESSOR - Cancel - \$343.00

SBL No. 44.00-2-21.2 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 343.00 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE 343.00

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CHARGED IN ERROR FOR THE TOWN AND COUNTY SEWER TAX. RPTL 550(2)E.

Petition No. 202066 / 2002 - ASSESSOR - Cancel - \$244.86

SBL No. 44.09-1-10 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 244.86 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE 244.86

CANCEL - CLERICAL ERROR, THIS PARCEL IS CHARGED IN ERROR FOR THE TOWN AND COUNTY SEWER TAX . RPTL 550(2)E.

Petition No. 202067 / 2002 - ASSESSOR - Cancel - \$350.01

SBL No. 44.09-1-22 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 350.01 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE
350.01

CANCEL - CLERICAL ERROR, THIS PARCEL IS CHARGED IN ERROR FOR THE TOWN AND COUNTY SEWER TAX. RPTL 550(2)E.

Petition No. 202068 / 2002 - ASSESSOR - Cancel - \$140.07

SBL No. 206.06-3-31.38 - TOWN OF EVANS

Acct. No. 112 - \$ 46.09 - County

Acct. No. 132 - \$ 93.98 - Town/SpecialDist/School

Charge to : TOWN OF EVANS
77.04
NORTH EVANS FIRE PROTECT 16.94

CANCEL - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE PARCEL ON THE TAX ROLL. PARCEL IS INCLUDED WITH SBL 206.06-3-31.37. RPTL 550(2)F

Petition No. 202069 / 2002 - ASSESSOR - Cancel - \$259.46

SBL No. 20.00-4-12.1 - TOWN OF EVANS

Acct. No. 112 - \$ 77.43 - County

Acct. No. 132 - \$ 182.03 - Town/SpecialDist/School

Charge to : TOWN OF EVANS
128.51
ANGOLA-EVANS FIRE PROTECT 35.21
ERIE CO SEW DST 2 18.31

CANCEL - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE PARCEL ON THE TAX ROLL. THIS PARCEL IS INCLUDED WITH 220.00-4-13. RPTL 550(2)F

Petition No. 202070 / 202 - ASSESSOR - Cancel - \$197.38

SBL No. 221.00-1-1 - TOWN OF EVANS

Acct. No. 112 - \$ 94.94 - County

Acct. No. 132 - \$ 102.44 - Town/SpecialDist/School

Charge to : TOWN OF EVANS
102.44

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 15,450 FOR COUNTY TAX AND THE TOWN TAX IN THE AMOUNT OF 10,549 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 202071 / 2002 - ASSESSOR - Cancel - \$153.19

SBL No. 235.15-4-20 - TOWN OF EVANS

Acct. No. 112 - \$ 90.64 - County

Acct. No. 132 - \$ 62.55 - Town/SpecialDist/School

Charge to : TOWN OF EVANS

62.55

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 14,750 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 202072 / 2002 - ASSESSOR - Cancel - \$409.58

SBL No. 235.05-2-14 - TOWN OF EVANS

Acct. No. 112 - \$ 122.91 - County

Acct. No. 132 - \$ 286.67 - Town/SpecialDist/School

Charge to : TOWN OF EVANS

201.74

ANGOLA-EVANS FIRE PROTECT 55.88

ERIE CO SEW DST 2 29.05

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 53,900 AND SHOULD BE 33,900. RPTL 550(2)A

Petition No. 202073 / 2002 - ASSESSOR - Cancel - \$562.06

SBL No. 250.14-4-32 - TOWN OF EVANS

Acct. No. 112 - \$ 167.76 - County

Acct. No. 132 - \$ 394.30 - Town/SpecialDist/School

Charge to : TOWN OF EVANS

278.35

ANGOLA-EVANS FIRE PROTECT 76.28

ERIE CO SEW DST 2 39.67

CANCEL -ERROR IN ESSENTIAL FACT, THE BUILDING ON THIS PROPERTY WAS REMOVED PRIOR TO MAY 1, 2001. THE ASSESSED VALUE WAS 31,300 AND SHOULD BE LAND VALUE ONLY 4000.RPTL 550(3)A

Petition No. 202074/ 2002 - ASSESSOR - Cancel - \$20.58

SBL No. 250.15-3-45.2 - TOWN OF EVANS

Acct. No. 112 - \$ 6.14 - County

Acct. No. 132 - \$ 14.44 - Town/SpecialDist/School

Charge to : TOWN OF EVANS

	10.19
ANGOLA-EVANS FIRE PROTECT	2.79
ERIE CO SEW DST 2	1.46

CANCEL - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE PARCEL ON THE TAX ROLL. THIS PARCEL IS INCLUDED WITH 250.15-3-44.1.RPTL 550(2)F

Petition No. 202075 / 2002 - ASSESSOR - Cancel - \$534.73

SBL No. 23.08-1-4.12 - TOWN OF GRAND ISLAND

Acct. No. 112 - \$ 337.10 - County

Acct. No. 132 - \$ 197.63 - Town/SpecialDist/School

Charge to : TOWN OF GRAND ISLAND

197.63

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 41,400 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 202076 / 2002 - ASSESSOR - Cancel - \$779.14

SBL No. 36.00-4-8.22 - TOWN OF GRAND ISLAND

Acct. No. 112 - \$ 453.13 - County

Acct. No. 132 - \$ 326.01 - Town/SpecialDist/School

Charge to : TOWN OF GRAND ISLAND

	265.65
GRAND ISLAND FIRE PROTECT	60.36

CANCEL - ERROR IN ESSENTIAL FACT, HOUSE WAS DEMOLISHED PRIOR TO MAY 1, 2001. THE ASSESSED VALUE WAS 67,050 AND SHOULD BE 11,400. RPTL 550(3)A.

Petition No. 202077 / 2002 - ASSESSOR - Cancel - \$18.83

SBL No. 151.62-4-6 - TOWN OF HAMBURG

Acct. No. 112 - \$ 11.80 - County

Acct. No. 132 - \$ 7.03 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG

7.03

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED WITH SBL 151.62-4-8.1 RPTL 550(2)F.

Petition No. 202078 / 2002 - ASSESSOR - Cancel - \$191.11

SBL No. 52.34-7-1 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 191.11 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 30,800 (50%) FOR COUNTY PURPOSES THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 202079 / 2002 - ASSESSOR - Cancel - \$212.83

SBL No. 52.42-2-23 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 212.83 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 34,300 (50%) FOR COUNTY TAX PURPOSES WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 202080 / 2002 - ASSESSOR - Cancel - \$202.79

SBL No. 65.26-5-8 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 202.79 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA

202.79

CANCEL - CLERICAL ERROR, THE GALLONAGE FIGURE THAT WAS USED TO DETERMINE SEWER TAX IS INCORRECT. THE GALLONAGE USED WAS 607 GALLONS AND SHOULD BE 260 GALLONS. RPTL 550(2)E.

(B)

Whereas, the Erie County Director of Real Property Tax Service has investigated the validity of the requests to cancel taxes on the following properties and has hereby approved the canceling of taxes and to be charged back to the applicable Towns and / or Cities.

Therefore be it Resolved that the Erie County Legislature - Pursuant to Erie County Tax Act -

ARTICLE 12 Section 1.0 Hereby, Cancel the following Accounts:

CITY OF BUFFALO - SBL 111.53-4-9

Property located at 110 Franklin St was acquired by the County of Erie on December 7, 2001.

City of Buffalo - \$ 1,701.65
 Acct No.112 - \$1,701.65

The following are all owned by the County of Erie in various Towns and City. We are required to pay the special district taxes on the Town and County tax bill. We will credit the various Towns and City of Lackawanna on their 2002 Tax Warrants :

City of Lackawanna	\$ 9,058.40	
Acct No 112 -	\$ 9,058.40	
Town of Amherst	\$ 3,697.52	
Acct No 112 -	\$ 3,697.52	
Town of Aurora	\$ 6,074.85	
Acct No 112 -	\$6,074.85	
Town of Cheektowaga	\$ 2,501.74	
Acct No 112 -	\$ 2,501.74	
Town of Clarence	\$ 86.64	
Acct No 112 -	\$86.64	
Town of Evans	\$ 10,494.48	
Acct No 112 -	\$ 10,494.48	
Town of Elma	\$ 174.91	
AcctNo 112 -	\$174.91	
Town of Grand Island	\$ 243.76	
Acct No 112 -	\$ 243.76	
Town of Lancaster	\$ 3,492.88	
Acct No 112 -	\$ 3,492.88	
Town of Orchard Park	\$ 78,229.39	
Acct No 112 -	\$ 78,229.39	
Acct No 132 -	\$ 136.56	Town/School
Charge to Orchard Park Central :	\$ 113.86	

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

3. Item Page -2002 (Comm. 3E-19)

COUNTY EXECUTIVE:

WHEREAS, the Erie County Medical Center has experienced significant growth in its inpatient and outpatient activity during FY 2001; and

WHEREAS, ECMC has an opportunity to pursue and realize additional inpatient and outpatient volume in the current year; and

WHEREAS, to accommodate this additional expansion and to maintain the Hospital's commitment to the highest quality of care and clinical outcomes, it is incumbent that the Medical Center initiate and timely complete the following capital projects, including:

- Activate the Hospital's 10th Operating Room;
- Establish a 2nd Cardiothoracic Operating Room;
- Fund the Ambulatory Surgery & Recovery Room Project;
- Continue Modernization of the Hospital's Inpatient Units;
- Purchase a Variety of Capital Equipment to Maintain a Competitive Edge; and

WHEREAS, to accomplish these critical objectives, it is imperative that ECMC have access to capital financing for the purpose of making capital improvements and acquiring medical equipment; and

WHEREAS, such access can be assured by financing ECMC's capital requirements with tobacco funds; and

WHEREAS, this recommended funding approach will address the Hospital's immediate capital needs and avoid future occurrences of any principal and interest payments that typically accompany bond financing arrangements; and

WHEREAS, the following four actions are required by the County Legislature to facilitate the financing of ECMC's previously authorized Capital program; and

- Transfer the FY 2001 tobacco funds to the individual ECMC capital accounts;
- Reallocate \$1.6 million in capital monies from the Hospital's FY 2002 Capital Budget for three unanticipated capital projects;
- Reclassify the source of ECMC capital funding from bonds to tobacco financing for the FY 2002 Capital Budget;
- Authorize transfer of the FY 2002 tobacco funds to ECMC's individual capital FY 2002 accounts.

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature does hereby authorize the transfer of \$3,599,000 from the FY 2001 tobacco account to individual capital accounts as outlined below:

Patient Unit Renovation	\$500,000
Nurse Call Unit Replacement	\$80,000
Point of Care System	\$1,169,000
CT Unit Acquisition	\$1,500,000
Installation of Endoscopic Surgery Suite	\$350,000
Total	\$3,599,000

RESOLVED, that the Erie County Legislature does hereby authorize the reallocation of \$1,610,000 from within the previously approved FY 2002 ECMC Capital Budget for the following unanticipated capital projects:

Activate 10 th Operating Room	\$350,000
Establish 2 nd Cardiothoracic Operating Room	\$110,000
Fund the Ambulatory Surgery & Recovery Area	\$1,150,000
Total	\$1,610,000

RESOLVED, that the Erie County Legislature does hereby authorize that funding for the aforementioned unanticipated capital projects be reallocated from the following approved FY 2002 capital projects providing that the net change will not increase the approved capital budget for ECMC in FY 2002 to an amount in excess of \$6,541,500.

Project	Fiscal Year	From	To	Variance
Nuclear Medicine Imaging Project	2002	\$1,690,000	\$1,127,000	(\$563,000)
Patient Unit Renovation	2002	\$1,500,000	\$800,000	(\$700,000)
Update Information Systems	2002	\$945,000	\$700,000	(\$245,000)
Nurse Call Unit	2002	\$250,000	\$148,000	(\$102,000)
			Total Adjustments	(\$1,610,000)

RESOLVED, that the Erie County Legislature does hereby authorize the reclassification of \$6,541,500 in FY 2002 capital monies from bonds to tobacco financing; and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the transfer of \$6,541,500 in FY 2002 tobacco financing to individual capital accounts.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.

4. Item Page -2002 (Comm. 3E-20)

COUNTY EXECUTIVE

WHEREAS, Erie County is interested in assisting with the effort by the Village of Lancaster to upgrade its water system for the purpose of merging with the Erie County Water Authority (ECWA) and establish an improved fire emergency response within the Village of Lancaster in Erie County; and

WHEREAS, Erie County desires to encourage efforts to sustain and improve neighborhoods and communities within the County; and

WHEREAS, The Village of Lancaster has an older independent water system in need of upgrades to meet established standards for improved water service and fire protection; and

WHEREAS, The Village of Lancaster desires to upgrade its water system in order to merge with the ECWA; and

WHEREAS, Erie County desires to work with the Village of Lancaster which is implementing this process; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts not to exceed two hundred five thousand dollars (\$205,000.00), with the Village of Lancaster; and be it further

RESOLVED, that the source of the funds will be \$205,000.00 available in the Regionalism/Economic Development, DAC 110 904 303 830, Subaccount 1299, which will be transferred to Agency Payments monitored by the Department of Environment and Planning, General Fund 110, Project 922, Department 302, Account 830, and be it further,

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance, the Comptroller, the Commissioner of the Department of Environment and Planning and the County Attorney. (6-0) Chairman DeBenedetti present as Ex-Officio Member.

DALE W. LARSON
CHAIRMAN